

INTERPRETER (NAME): LANGUAGE: Number of six-month periods this interpreter has been used: ____ <input type="checkbox"/> Within <input type="checkbox"/> Beyond the period allowed by Cal. Rules of Courts, rule 984.2(c). INSERT NAME OF COURT, JUDICIAL DISTRICT, AND BRANCH COURT, IF ANY: 	FOR COURT USE ONLY (FILE WITH THE COURT ADMINISTRATOR)
CERTIFICATION OF UNAVAILABILITY OF CERTIFIED INTERPRETERS	

CERTIFICATION OF UNAVAILABILITY

1. I am the person responsible for assigning interpreters to this court.

2. I have read and understand Government Code sections 68560.5 and 68561 mandating the use of certified court interpreters in court proceedings in the eight languages designated by the Judicial Council.

3. After making a diligent search, I certify that NO CERTIFIED COURT INTERPRETER IS AVAILABLE ON THIS DATE to interpret in the language stated above.

4. I have diligently attempted to contact all certified court interpreters in this county and in the neighboring counties of *(specify)*:

5.
 - a. I attempted to contact interpreters on the Judicial Council Master List of Certified Court Interpreters.

 - b. I have also made the following efforts to obtain an interpreter *(see section 2.0, over)*:
 - (1) ☐ I attempted to contact interpreters on the list of Federal Certified Interpreters.

 - (2) ☐ I attempted to contact interpreters on the Master List of Certified Administrative Hearing Interpreters published by the State Personnel Board.

 - (3) ☐ I attempted to contact interpreter coordinators in other jurisdictions.

 - (4) ☐ I attempted to contact interpreter agencies in this area.

6. I certify that the *Qualifications of a Noncertified Interpreter (form IN-110)* for the interpreter named above was filed with the court administrator within the past six months.

7. **I certify that the foregoing is true and correct.**

Date: _____

.....

(TYPE OR PRINT NAME)

(SIGNATURE OF

COURT ADMINISTRATOR

DESIGNEE

(See procedures on reverse)

**PROCEDURES FOR DETERMINING UNAVAILABILITY OF A
CERTIFIED COURT INTERPRETER IN A DESIGNATED LANGUAGE
(Gov. Code, §§ 68561(c) and 68564(d))**

1.0 Definitions

- 1.1 **"Certified court interpreter"** means a natural person who holds a valid certificate as a certified court interpreter issued by the Judicial Council or by a certification entity approved by the Judicial Council (Gov. Code, § 68566). (**Note:** Only interpreters in a designated language may be certified. As of January 1, 1996, interpreters named on the list previously established by the State Personnel Board, or interpreters with documentation from the State Personnel Board or any other entity, are not "certified court interpreters," unless they also possess a valid certificate from the Judicial Council.)
- 1.2 **"Designated languages"** are the following languages now designated by the Judicial Council: Arabic, Cantonese, Japanese, Korean, Portuguese, Spanish, Tagalog, and Vietnamese. The designated languages may change depending on the results of a language use and need study (Gov. Code, § 68562(a)).
- 1.3 **"Diligent search"** refers to the procedures (*outlined below in section 2.0*) followed by the court in good faith to find a certified court interpreter in the designated languages.
- 1.4 **"Interpreter coordinator"** refers to the person who is responsible for assigning interpreters to a court.

2.0 Procedures for Diligent Search

- 2.1 Before the court may use a noncertified interpreter for a designated language, the interpreter coordinator shall attempt to contact interpreters on the Judicial Council Master List of Certified Court Interpreters. If no certified court interpreter is available, the interpreter coordinator shall take the following steps in the order listed:
- 2.2 The interpreter coordinator shall attempt to contact interpreters on the list of Federal Certified Interpreters.
- 2.3 The interpreter coordinator shall attempt to contact interpreters on the Master List of Certified Administrative Hearing interpreters published by the State Personnel Board.
- 2.4 The interpreter coordinator shall attempt to contact interpreter coordinators in other jurisdictions.
- 2.5 The interpreter coordinator shall attempt to contact interpreter agencies in the area.

3.0 Procedures Upon Finding of Unavailability

- 3.1 If a certified court interpreter cannot be located, this form documenting the efforts made to comply with these provisions shall be completed and filed in the case. Contact shall be maintained with the courtroom officers to keep them apprised of the status of efforts to locate a certified court interpreter.
- 3.2 The judge may choose to continue the matter until a certified court interpreter is available.
- OR –
- 3.3 The judge may determine that it is acceptable to proceed with a noncertified interpreter. If so, the judge on the record shall (1) find that good cause exists for the court to appoint a noncertified interpreter, (2) find the noncertified interpreter to be qualified to interpret in the proceeding based on the interpreter's declaration of qualifications and the presiding judge's order provisionally qualifying the interpreter (*form IN-110*), and, if the judge deems it necessary, on the judge's examination of the interpreter, and (3) appoint the noncertified interpreter to interpret in the proceeding. The court shall inform the parties that the interpreter is not certified and may request a stipulation or waiver. A party may object to the interpreter at any time during the proceeding that it appears to the party that the interpreter is unqualified. The court shall record in the minute order or docket the name of the noncertified interpreter and the other information required by California Rules of Court, rule 984.2(e)(2).
- 3.4 If a particular matter is heard using a noncertified interpreter and further proceedings are set for a future date, the interpreter coordinator shall continue efforts to obtain the services of a certified court interpreter for all subsequent hearing dates. At the discretion of the court, the interpreter appointed on a particular matter may remain on that matter.